

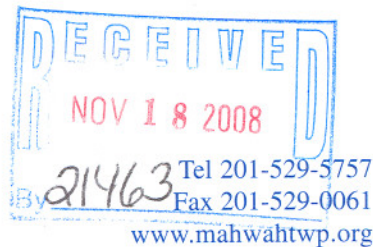


Office of Administration

## Township Of Mahwah

Municipal Offices: 475 Corporate Drive  
P.O. Box 733 • Mahwah, NJ 07430

November 17, 2008



Ms. Lucy Vandenberg  
Executive Director  
Council on Affordable Housing  
101 South Broad Street  
P.O. Box 813  
Trenton, NJ 08625-0813

Ms. Eileen Swan  
Executive Director  
Highlands Water Protection and  
Planning Council  
101 North Road (Route 513)  
Chester, NJ 07930-2322

**Re: Executive Order 114  
Township of Mahwah  
Extension of Time to Submit COAH Plan**

Dear Directors:

Enclosed please find copies of:

1. ✓ Township of Mahwah Resolution #136-08A, adopted November 13, 2008, Seeking an Extension of the Deadline to Petition for Substantive Certification.
2. Township of Mahwah Resolution #137-08A, adopted November 13, 2008, Notice of Intent to Petition the Highlands Council for Plan Conformance.

The Township of Mahwah looks forward to working with both Agencies toward Plan Conformance and Substantive Certification under the revised deadlines.

Very truly yours,

  
Brian Campion  
Business Administrator

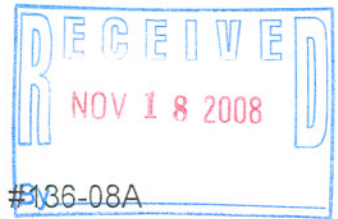
BC/pk  
Enclosures

# RESOLUTION

TOWNSHIP OF MAHWAH  
PO BOX 733  
MAHWAH NJ 07430

Resolution #136-08A

Date: November 13, 2008



Name	Motion	Second	Yes	No	Abstain	Absent
Alderisio			X			
DiGiulio	X		X			
Hermansen		X	X			
Kidd			X			
Larson						X
Roth			X			
DaPuzzo			X			

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## A RESOLUTION SEEKING AN EXTENSION OF THE DEADLINE TO PETITION FOR SUBSTANTIVE CERTIFICATION PURSUANT TO EXECUTIVE ORDER 114 AND THE MEMORANDUM OF UNDERSTANDING BETWEEN THE HIGHLANDS COUNCIL AND THE COUNCIL ON AFFORDABLE HOUSING

**WHEREAS**, on September 5, 2008, Governor Corzine signed Executive Order 114 which requires the Council on Affordable Housing (COAH) and the New Jersey Highlands Council (Highlands) to enter into a Memorandum of Understanding (MOU) designed to coordinate the regulations of both agencies by maximizing affordable housing opportunities while preserving critical environmental resources; and

**WHEREAS**, COAH and the Highlands have prepared such an MOU, which was adopted by COAH on October 29, 2008 and by the Highlands Council on October 30, 2008; and

**WHEREAS**, conformance with the Highlands Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and



**WHEREAS**, COAH regulations establish a December 31, 2008 deadline for municipalities currently under the jurisdiction of COAH to submit third round petitions for substantive certification of a municipal housing element and fair share plan; and

**WHEREAS**, the MOU establishes a procedure that municipalities under the jurisdiction of both COAH and the New Jersey Highlands Water Protection and Planning Act may follow to seek an extension to the December 31, 2008 deadline set by COAH for the submission of third round petitions for substantive certification of a municipal housing element and fair share plan; and

**WHEREAS**, the MOU provides for an extension of the December 31, 2008 deadline to December 8, 2009 for any Highlands municipality under COAH's jurisdiction that, before December 31, 2008: 1) submits a duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines; and 2) submits a duly adopted resolution notifying COAH of its intent to petition COAH no later than December 8, 2009; and

**WHEREAS**, on November 13, 2008 the governing body of the Township of Mahwah adopted a resolution notifying the Highlands that the Township of Mahwah has set December 8, 2009 as the target date for submission of a Petition for Plan Conformance.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township of Mahwah hereby agrees that its deadline for the submission of a Housing Element and Fair Share Plan pursuant to N.J.A.C. 5:96-16 is extended from December 31, 2008 to December 8, 2009; and

**BE IT FURTHER RESOLVED** that the governing body of the Township of Mahwah hereby directs the Township Clerk to immediately transmit a signed and sealed copy of this resolution to COAH; and

**BE IT FURTHER RESOLVED** that the governing body of the Township of Mahwah hereby directs the Township Clerk to immediately transmit a signed and sealed copy of the November 13, 2008 duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines to COAH; and

**BE IT FURTHER RESOLVED** that the governing body of the Township of Mahwah intends to submit a petition for substantive certification of a third round Housing Element and Fair Share Plan to COAH not later than December 8, 2009.

**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution on file and available for inspection in the Office of the Township Clerk.

CERTIFICATION

I hereby certify that this resolution consisting of three (3) page(s), was adopted at a meeting of the Township Council of the Township of Mahwah, 13th day of November, 2008.

  
Kathrine G. Coletta, RMC/CMC  
Municipal Clerk

  
John DaPuzzo  
Council President